

DISCLAIMER

This electronic version of an SCC order is for informational purposes only and is not an official document of the Commission. An official copy may be obtained from the [Clerk of the Commission, Document Control Center](#).

COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, SEPTEMBER 25, 2000

PETITION OF

COLUMBIA ENERGY SERVICES CORPORATION CASE NO. PUE000473

For waiver from compliance
with filing deadline

ORDER GRANTING PETITION

On September 8, 2000, Columbia Energy Services Corporation ("CES" or "Company") filed a Petition with the State Corporation Commission ("Commission") requesting a waiver from compliance with the deadline of September 25, 2000, for filing an application for a license to provide competitive services in natural gas retail access pilot programs. This requirement is contained in the Interim Rules Governing Electric and Natural Gas Retail Access Pilot Programs, 20 VAC 5-311-10 *et seq.* ("Interim Rules") as approved in the Commission's May 26, 2000, Final Order in Case No. PUE980812.¹

In support of its Petition, CES states that it is an active participant in the natural gas retail access unbundling program of Columbia Gas of Virginia, Inc. Pursuant to the above-

¹ Commonwealth, ex rel. State Corp. Comm'n, Ex Parte: In the matter of establishing interim rules for retail access pilot programs, Case No. PUE980812, Final Order (May 26, 2000), Document Control Center No. 000530236.

mentioned Interim Rules, CES recognizes that it must apply for a license to continue its operations in the natural gas unbundling program. CES avers that, on June 30, 2000, CES and The New Power Company ("New Power") executed an asset purchase agreement in which CES agreed to sell its mass market retail operations to New Power. Also pursuant to this agreement, CES intends to assign its natural gas customers in Virginia to New Power once New Power receives a license to act as a competitive service provider in natural gas pilot programs. CES states that New Power has filed an application for licensure but that the application is still pending.

CES, by counsel, has advised that if customer transfers proceed as planned, CES will no longer be competitively supplying natural gas services in Virginia. CES requests an extension of time, until December 1, 2000, and a waiver of the 120-day time period set forth in the Interim Rules and Final Order. CES states that the waiver will allow for the seamless transition of customers to New Power without unnecessary confusion.

NOW UPON CONSIDERATION, we are of the opinion that CES' request should be granted.

Accordingly, IT IS ORDERED THAT:

(1) CES hereby is granted a waiver of the deadline provided by the Interim Rules for the filing of an application

for a license as a competitive service provider or aggregator. CES shall have until December 1, 2000, to transfer customers to other licensed entities or, if that cannot be accomplished, to apply for the appropriate license(s) itself.

(2) On or before December 1, 2000, CES shall file with the Commission's Clerk's Office notification that the planned transfers of customers have been accomplished.

(3) This matter is continued pending the receipt of the December 1, 2000, report from CES.